

SUBSURFACE RESOURCES

Lands open and closed to mining. All lands in Subunit a and b are open to mining and to coal, oil, and gas leasing. Subunit c was closed to mineral location under the Willow Subbasin Area Plan. It remains closed to prevent conflicts with agricultural development. The new addition to Subunit c in T20N R4W sections 13 and 14 will be closed to new mineral entry prior to sale of agricultural homesteads.

Mineral leasing. All lands in the Kashwitna Unit are available for leasing for coal, oil, and gas. The requirements of the state Five-Year Oil and Gas Leasing Program apply to the Kashwitna Unit.

Coal prospecting. Nearly all public lands are available for coal prospecting. Certain areas with exceptionally high surface resource values are closed to the issuance of coal prospecting permits under the Willow Subbasin Area Plan. The affected sites in the Kashwitna Unit are the recreation sites on the unnamed lake in Subunit a and the Willow Creek Mountain Trail in Subunit b. These sites are for campgrounds, trailheads, boat launches, and access sites on water bodies. [Note: Land within 300 feet of Little Willow Creek is closed to coal prospecting under the Willow Subbasin Area Plan.]

Coal prospecting will occur in a manner that minimizes adverse impacts on the natural environment, including effects on vegetation, water quality, fish, bird, and animal life. Prospecting for coal is allowed adjacent to anadromous fish streams. However, surface entry up to 500 feet from the stream may be restricted if a lease is eventually granted. This policy is limited to the anadromous fish streams on Map 9. Decisions on surface entry adjacent to streams will be made in consultation with the DNR Division of Parks and Outdoor Recreation and DFG.

Mining in community centers. Permits, leasehold stipulations, or other controls affecting subsurface development shall be prepared in consultation with the borough and city governments and be consistent with adopted community comprehensive plans and borough land use plans. The boundaries for community comprehensive plans are defined by the Matanuska-Susitna Borough. Boundaries have not yet been established for community plans in the Willow and Y community council areas, the two councils closest to the Kashwitna Unit. The state shall consider local government recommendations when considering or issuing development leases or permits.

Incorporating plan policies and guidelines into permits and leases. Permits and leases required for mining will continue to be issued on a case-by-case basis coordinated by the DNR Division of Mining, with involvement by DFG, the Department of Environmental Conservation, the DNR divisions of Land and Water, Forestry, and Parks and Outdoor Recreation. Prior to issuing miscellaneous land use permits or leases, the Division of Land and Water will review the management intent, land use designations, and specific management guidelines applying to the area affected by the proposed mining operation and ensure that these considerations are incorporated into the miscellaneous land use permit or lease.

Anadromous fish streams. Overall water and streambed quality necessary to support existing levels of sport, subsistence, and commercial use of anadromous fish within the Kashwitna Unit shall not diminish as a result of mining activities.

Standard stipulations. Permits and lease plans of operations will always address, at minimum, the following issues: timing and methods of access and related impacts, disposal of overburden and tailings, disposal of combustible and noncombustible waste, disposal of sewage and waste water, sediment control, and fuel and oil storage and spills. These are currently applied to all Miscellaneous Land Use Permits issued by the DNR Division of Mining.

Erosion control adjacent to and upland from anadromous fish streams. Stipulations in mining permits or in plans of operations associated with leases will ensure that anadromous fish streams are protected from siltation that may be caused by mining activities. On a case-by-case basis, with the consultation of the DFG, stipulations should be prepared to address

1. location of tailings and overburden,
2. alteration of natural vegetation and natural contours,
3. impacts on non-anadromous fish tributaries that affect water quality downstream,
4. revegetation of disturbed areas, and
5. maintenance of a buffer of undisturbed vegetation adjacent to streams.

Reclamation. The Miscellaneous Land Use Permit or plan of operations associated with a lease will specify that land must be returned to a useful state. The type of reclamation will be determined in consultation with the agency responsible for the primary land use values in the affected area. Reclamation also must comply with AS 29.17 and regulations adopted to implement this statute.

Control of visual impacts. Guidelines will be developed as necessary through the Miscellaneous Land Use Permit or leasing process to minimize the adverse visual impacts of mining in settled areas, recreation areas, and in areas viewed from roads. In such areas guidelines will address, at a minimum, the following items: control of solid wastes; removal of vegetation; siting of mining structures, tailings, and overburden; roads; and rehabilitation of mining sites.

Access for mineral development. The method and timing of access to tundra, wetlands, and other environmentally sensitive areas should minimize damage to these areas. (See also Roads, Trails, and Public Access section in this chapter). Existing roads and trails should be used to provide access to mine sites wherever possible.

WETLANDS

Definition. For purposes of inventory and regulation of wetlands, DNR will use the definition adopted by the State of Alaska under the regulations of the Coastal Management Program (6 AAC 80.900(19)):

Freshwater wetlands means those environments characterized by rooted vegetation which is partially submerged either continuously or periodically by surface freshwater with less than 0.5 parts per thousand salt content and not exceeding three meters in depth.

For purposes of these management guidelines, wetlands are divided into three classes:

Class I, wetlands larger than 100 acres and all wetlands with a locatable stream outlet (the stream shall be considered part of the wetland);

Class II, wetlands between 40 and 100 acres with no outlet; and

Class III, wetlands less than 40 acres with no outlet.

Wetlands management. The Army Corps of Engineers regulates all activities that result in discharge or placement of dredged or fill material in wetlands. Corps permits for these activities are reviewed by the Department of Environmental Conservation, DFG, and the Division of Governmental Coordination in the Governor's office. National wetlands policy is currently being reviewed, under the lead of the federal Domestic Policy Council. The State of Alaska, through the Governor's office, is participating in this review.